



***Substitute Senate Bill No. 349***

***Public Act No. 16-33***

***AN ACT CONCERNING THE PRIVACY OF A MINOR.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (g) of section 29-6d of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) (1) Except as otherwise provided by any agreement between a law enforcement agency and the federal government, no police officer shall use body-worn recording equipment to intentionally record [(1)] (A) a communication with other law enforcement agency personnel, except that which may be recorded as the officer performs his or her duties, [(2)] (B) an encounter with an undercover officer or informant, [(3)] (C) when an officer is on break or is otherwise engaged in a personal activity, [(4)] (D) a person undergoing a medical or psychological evaluation, procedure or treatment, [(5)] (E) any person other than a suspect to a crime if an officer is wearing such equipment in a hospital or other medical facility setting, or [(6)] (F) in a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.

(2) No record created using body-worn recording equipment of (A) an occurrence or situation described in [subdivisions (1) to (6)]

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subparagraphs (A) to (F), inclusive, of subdivision (1) of this subsection, [shall be deemed a public record for purposes of section 1-210. No record created by a police officer using body-worn recording equipment of (A) the] (B) a scene of an incident that involves (i) a victim of domestic or sexual abuse, [or (B)] (ii) a victim of homicide or suicide, or (iii) a deceased victim of an accident, if disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy in the case of any such victim described in this subparagraph, or (C) a minor, shall be subject to disclosure under the [provisions of section 1-210 to the extent that disclosure of such record could reasonably be expected to constitute an unwarranted invasion of personal privacy] Freedom of Information Act, as defined in section 1-200, and any such record shall be confidential, except that a record of a minor shall be disclosed if (i) the minor and the parent or guardian of such minor consent to the disclosure of such record, (ii) a police officer is the subject of an allegation of misconduct made by such minor or the parent or guardian of such minor, and the person representing such officer in an investigation of such alleged misconduct requests disclosure of such record for the sole purpose of preparing a defense to such allegation, or (iii) a person is charged with a crime and defense counsel for such person requests disclosure of such record for the sole purpose of assisting in such person's defense and the discovery of such record as evidence is otherwise discoverable.

Approved May 26, 2016